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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JOHN ARMSTRONG, et al.,

12 No. C 94-2307 CW

13 Plaintiffs,

14 v.

15 ORDER RE:
ARNOLD SCHWARZENEGGER, et al.,
APPOINTMENT OF
COURT EXPERT

16 Defendants.

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19 On April 20, 2007, the Court entered an order to show cause
20 regarding appointment of a Court Expert to facilitate coordination
21 of the remedial processes in this case, Coleman v. Schwarzenegger,
22 90-0520 (E.D. Cal.), Plata v. Schwarzenegger, 01-1351 (N.D. Cal.),
23 and Perez v. Tilton, 05-5241 (N.D. Cal.). The parties have met and
24 conferred and filed their respective positions.

25 Defendants agree that appointment of a representative is
26 appropriate but suggest that the Court appoint a Special Master
27 instead of a Court Expert. Plaintiffs argue, and the Court agrees,
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1 that appointment of a Special Master is not appropriate and would
2 not be effective given the restrictions placed on them by the
3 Prison Reform Litigation Act. See 18 U.S.C. 3626(f)(6).
4 Plaintiffs support the appointment of a Court Expert.

5 The parties shall meet and confer regarding candidates for the
6 position, a proposal for briefing the Court Expert on the case and
7 a proposed order outlining the Court Expert's duties. If the
8 parties are unable to agree on an individual for the position, each
9 party shall submit the names of three potential candidates to the
10 other party, each party will have the opportunity to strike one
11 name from the opposing party's list, and the remaining four names
12 will be submitted to the Court for final selection. The parties
13 shall file a joint statement within thirty days of the date of this
14 order.

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16 IT IS SO ORDERED.

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18 Dated: 4/30/07
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Claudia Wilken

CLAUDIA WILKEN
United States District Judge